IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.995 OF 2007
IN
APPEAL NO.645 OF 2005
IN
ARBITRATION PETITION NO.78 OF 2005

Shree Ram Mills Ltd. .. Appellant
V/s
Kalpataru Properties Pvt.Ltd. & Anr. .. Respondents

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Mr.C.U.Singh, Senior Advocate i/by M/s.Khetan & Jayakar for the Appellant.

Mr.I.M.Chagla, Senior Advocate, with Mr.F.E.D'vitre, Mr.D.J.Khambata, Mr.Mustafa Doctor and Mr.G.Ankhad i/by M/s.Federal & Rashmikant for Respondent No.1.

CORAM : DR.S.RADHAKRISHNAN, &
S.C.DHARMADHIKARI, JJ.

DATE : 19th September, 2007.

P.C.:

1. Mr.C.U.Singh, the learned Senior Counsel for the Appellant seeks leave to withdraw this Notice of Motion in view of the fact that the Appellant has already filed an application before the Mumbai Municipal Corporation with regard to relocation of the reservations. The Notice of Motion is accordingly allowed to be withdrawn and stands dismissed as such.

2. Needless to say that the Mumbai Municipal Corporation will consider the aforesaid application with regard to relocation of reservations, on its own merits, and in accordance with law.

3. We make it clear that in the event the Appellant is aggrieved by any order that may be passed by the Mumbai Municipal Corporation in the aforesaid application with regard to relocation of reservations, the Appellant will be at liberty to adopt appropriate proceedings before appropriate forum.

(S.C.DHARMADHIKARI, J.) **DR.S.RADHAKRISHNAN, J.)**